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09/921,489	08/03/2001	Joseph R. Hedrick	IGT1P060/P-568	4887
22434	7590	10/03/2003	EXAMINER	
BEYER WEAVER & THOMAS LLP			NGUYEN, KIM T	
P.O. BOX 778			ART UNIT	
BERKELEY, CA 94704-0778			PAPER NUMBER	
			3713	
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8

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/921,489

Applicant(s)

HEDRICK ET AL.

Examiner

Kim T Nguyen

Art Unit

3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-89 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-89 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4-7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Art Unit: 3713

## DETAILED ACTION

### *Claim Objections*

1. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

Misnumbered claims 41-90 been renumbered 40-89. To avoid confusion, applicant is advised to use the newly renumbered claims in the future communication.

2. Claims 11, 13, 17, 22-23, 33, 35, 47, 55-56, 62, 64, 74, 78-80, 82 are objected to because of the following informalities:

- a) In claim 11, line 1; and claim 13, line 1, the claimed limitation "wherein one or more" should be corrected to "wherein said one or more".
- b) In claim 11, lines 3-4; and claim 13, lines 3-4, the claimed limitation "a game played on one or more gaming machines" should be corrected to "the game played on one or more gaming machines".
- c) In claim 17, line 3, the claimed limitation "a status of a card" should be corrected to "the status of said card".

Art Unit: 3713

- d) In claim 22, lines 2-4; claim 56, lines 2-4; and claim 79, lines 2-4; the claimed limitation “the player” (two occurrences) should be corrected to “a player”.
- e) In claim 23, line 2, the claimed limitation “service request by the player” should be corrected to “service requested by a player”.
- f) In claim 33, line 2, the claimed limitation “a game player” should be corrected to “the game player”.
- g) In claim 35, line 2, the claimed limitation “gaming player” should be corrected to “game player”.
- h) In claim 47, line 2; and claim 74, line 2, the claimed limitation “a portable wireless device” should be corrected to “the portable wireless device”.
- i) In claim 55, line 2; claim 62, line 3; claim 64, line 3; and claim 78, line 2; the claimed limitation “a game played” should be corrected to “the game played”.
- j) In claim 80, line 15, the claimed limitation “a player” should be corrected to “the player”.
- k) In claim 82, line 4; and claim 84, line 2; the claimed limitation “an aural response” should be corrected to “said aural response”.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 3713

3. Claim 86 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 86, lines 1-2, the claimed limitation “the input signal is received at least one of a master gaming controller on the gaming machine” is unclear. Does the claimed limitation mean the master gaming controller receives the input signal? Further, the claimed limitation “at least one of a master gaming controller” does not seem correct. Are there several master controllers in the gaming machine?

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-89 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raven et al (US. patent No. 5,429,361) in view of Seibert, Jr. et al (US. patent No. 6,174,234).

a. As per claim 1 and 4-5, Raven discloses a player tracking unit comprising a display 30 (Fig. 2); an illumination device 36 (Fig. 2) (col. 9, lines 61-62); a card reader (col. 3, lines 2-8); and a logic device to communicate with the display, the card reader, and a master gaming

Art Unit: 3713

controller, and to control the illumination of the illumination device (Fig. 3; col. 2, lines 29-65; col. 3, lines 1-6; col. 4, lines 62-68; and col. 5, lines 1-15). Raven does not disclose that the illumination device is adjacent to the display. However, Seibert discloses implementing an illumination device that is adjacent to the display (col. 9, lines 25-29). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to implement the illumination device of Raven adjacent to the display as taught by Seibert in order to facilitate watching display outputs on the same area.

b. As per claim 2-3, Seibert discloses a color white translucent cover (col. 3, lines 44-47).

c. As per claim 6-7, Seibert suggests that the illumination devices can be placed at multiple locations on the gaming machine (col. 10, lines 34-38). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to place the illumination device in a preferred area adjacent to the display, since selecting an area to implement the illumination as preferred by the designer requires only routine skill in the art.

d. As per claim 8-9, Seibert discloses independently illuminating each individual illumination device in a time varying pattern (col. 2, lines 50-58; col. 9, lines 21-22; col. 2, lines 1-3; and col. 4, lines 4-6).

e. As per claim 10, 15-19, 22-25, 27-36, and 39-56, providing voltage signals to an illumination device, including a proximity sensor and illuminating the illumination device in response to the sensor, or to a card inserted in the card reader, issuing a voice message to indicate

Art Unit: 3713

the status of an input from the user, etc. would have been well known to a person of ordinary skill in the art at the time the invention was made.

f. As per claim 11-14, Seibert discloses illuminating the illumination device and generating sound in response to a game played on the gaming machine (col. 7, lines 2-4). Further, allowing the player to play a bonus game would have been well known.

g. As per claim 20, Raven discloses illuminating the illuminator to indicate a special status of the player (col. 9, lines 61-66).

h. As per claim 21, refer to discussion in claims 17 and 20 above.

i. As per claim 26, Raven discloses a drop door (col. 10, lines 12-14).

j. As per claim 37-38, Raven discloses a display 30 (Fig. 2), a speaker 38 (Fig. 2), and an illuminator 36 (Fig. 2) available for output information. Further, Seibert discloses a plurality of illuminators (col. 8, lines 62-67). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to select an output media for communicating a specific information to the player, since selecting an output media among the available media for communicating with the player requires only routine skill in the art.

k. As per claim 57, 60-74, and 76-83, refer to discussion in claims 1, 8-9, 11-14, 29, 39-40, 42-47, 54, 56, 22, and 17-18 above.

l. As per claim 58, 75, and 84-89, the claimed limitations would have been well known to a person of ordinary skill in the art at the time the invention was made.

m. As per claim 59, Raven discloses a video slot game (Fig. 1).

Art Unit: 3713

*Cited References*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

*Saunders et al* (US. 6,012,832) discloses player tracking system 10 (Fig. 1), and *Seelig et al* (US. 2002/0107066) disclose including illumination devices around the display (paragraph 0040).

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim Nguyen whose telephone number is (703) 308-7915. The examiner can normally be reached on Monday-Thursday from 8:00AM to 5:00PM ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg, can be reached on (703) 308-1327. The central official fax number is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1148.

kn

Date: September 27, 2003

  
**KIM NGUYEN**  
**PRIMARY EXAMINER**